

**SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS—
LICENSURE AND REGULATION****CHAPTER 381⁵⁶**

S. B. No. 813

AN ACT

relating to the licensing and regulation of speech-language pathologists and audiologists; providing for hearings and judicial review; making an appropriation; providing enforcement procedures and penalties; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. PURPOSE. It is the policy of this state that in order to safeguard the public health, safety, and welfare and to protect the public from unprofessional conduct by speech-language pathologists and audiologists it is necessary to provide regulatory authority over persons offering speech-language pathology and audiology services to the public.

SECTION 2. DEFINITIONS. In this Act:

- (1) "Board" means the Texas Board of Health.
 - (2) "Committee" means the State Committee of Examiners for Speech-Language Pathology and Audiology.
 - (3) "Department" means the Texas Department of Health.
 - (4) "Person" means an individual, corporation, partnership, or other legal entity.
 - (5) "Speech-language pathologist" means an individual who practices speech-language pathology, who makes a nonmedical evaluation, who examines, counsels, or provides habilitative or rehabilitative services for persons who have or are suspected of having speech, voice, or language disorders, and who meets the qualifications set forth in this Act.
 - (6) "The practice of speech-language pathology" means the application of nonmedical principles, methods, and procedures for
56. Vernon's Ann.Civ.St. art. 4512j, §§ 1 to 22.

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the measurement, testing, evaluation, prediction, counseling, habilitation, rehabilitation, or instruction related to the development and disorders of speech, voice, or language for the purpose of rendering or offering to render an evaluation, prevention, or modification of these disorders and conditions in individuals or groups of individuals. Speech-language pathologists may perform the basic audiometric screening tests and hearing therapy procedures consistent with their training.

(7) "Audiologist" means a person who practices audiology, who makes a nonmedical evaluation, who examines, counsels, or provides habilitative or rehabilitative services for persons who have or are suspected of having a hearing disorder, and who meets the qualifications set forth in this Act.

(8) "The practice of audiology" means the application of nonmedical principles, methods, and procedures for the measurement, testing, appraisal, prediction, consultation, counseling, habilitation, rehabilitation, or instruction related to hearing and disorders of hearing and for the purpose of rendering or offering to render services modifying communicative disorders involving speech, language, auditory function, or other aberrant behavior relating to hearing loss. An audiologist may engage in any tasks, procedures, acts, or practices that are necessary (A) for the evaluation of hearing; (B) for training in the use of amplification including hearing aids; or (C) for the making of earmolds for hearing aids. An audiologist may participate in consultation regarding noise control and hearing conservation, may provide evaluations of environment or equipment including calibration of equipment used in testing auditory functioning and hearing conservation, and may perform the basic speech and language screening tests and procedures consistent with his or her training.

(9) "Speech-language pathology aide" means a person who meets minimum qualifications which the committee may establish for speech-language pathology aides and who works under the direction

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of a licensed speech-language pathologist. The qualifications for licensure as a speech-language pathology aide shall be uniform and shall be less than those established by this Act as necessary for licensure as a speech-language pathologist.

(10) "Audiology aide" means a person who meets minimum qualifications which the committee may establish for audiology aides and who works under the direction of a licensed audiologist. The qualifications for licensure as an audiology aide shall be uniform and shall be less than those established by this Act as necessary for licensure as an audiologist.

SECTION 3. COMMITTEE; MEMBERSHIP. (a) The State Committee of Examiners for Speech Pathology and Audiology is created within the Texas Department of Health. The committee consists of nine members appointed by the governor to take office on the effective date of this Act. Members of the committee must have been residents of the State of Texas for two years immediately preceding appointment and must be representative of varying geographic regions of the state and from varying employment settings. Six members must have been engaged in rendering services, teaching, or research in speech-language pathology or audiology for at least five years and must meet the qualifications for licensure under this Act. Of these six members, three members shall be audiologists, three members shall be speech-language pathologists. Except for the initial appointees, all six shall hold valid licenses under this Act. Three members shall be selected from the general public. One of the three public members of the committee must be a physician licensed to practice in the State of Texas and board certified in otolaryngology or pediatrics. The two remaining public members may not:

(1) be licensed by an occupational regulatory agency in the field of health care;

(2) be employed by and participating in the management of an agency or business entity that provides health-care services or

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that sells, manufactures, or distributes health-care supplies or equipment;

(3) own, control, or have a direct or indirect interest in more than 10 percent of a business entity that provides health-care services or that sells, manufactures, or distributes health-care supplies or equipment; or

(4) be an officer, employee, or paid consultant of a trade association in the field of health care. A member of the committee may not be related within the second degree of affinity or consanguinity to a person who is an officer, employee, or a paid consultant of a trade association in the health-care field.

(b) An appointment to the committee shall be made without regard to the race, creed, sex, religion, or national origin of the appointee.

(c) A person who is required to register as a lobbyist under Chapter 422, Acts of the 63rd Legislature, Regular Session, 1973, as amended (Article 6252-9c, Vernon's Texas Civil Statutes), in a health-related area may not serve as a member of the board or act as the general counsel to the board.

SECTION 4. TERMS; OFFICERS; QUORUM; EXPENSES. (a) The term of initial appointees to the board shall be determined by lot as follows: three members are appointed for terms which expire August 31, 1985; three members are appointed for terms which expire August 31, 1987; and three members are appointed for terms which expire August 31, 1989. After the initial appointments, members are appointed for staggered terms of six years, with three terms beginning September 1 of each odd-numbered year. Members of the committee shall serve until the expiration of the term to which they have been appointed or until their successors have qualified. A person may not be appointed to serve more than two consecutive terms.

(b) The committee shall be organized annually and select a chairperson, vice-chairperson, and a secretary-treasurer. The

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initial chairperson shall be a person who meets the qualifications for licensing under this Act. After September 1, 1984, the chairperson shall hold a valid license under this Act.

(c) Five members of the committee constitute a quorum to do business.

(d) The committee shall hold at least two regular meetings each year at which time an examination as defined in Section 12 of this Act shall be offered. Additional meetings may be held on the call of the chairperson or at the written request of any three members of the committee. At least 14 days' advance notice of the committee meeting is required.

(e) Committee members receive no compensation for their services; however, each member of the committee is entitled to a per diem and travel allowance at the rate set by the legislature for state employees in the General Appropriations Act for each day that the member engages in the business of the committee.

SECTION 5. DUTIES AND POWERS OF THE COMMITTEE. (a) Subject to the approval of the board, the committee shall adopt rules necessary to administer and enforce this Act, including rules that establish standards of ethical practice.

(b) With the assistance of the department, the committee shall administer, coordinate, and enforce the provisions of this Act; evaluate the qualifications of applicants; provide for the examination of applicants; and issue subpoenas, examine witnesses, and administer oaths under the laws of the State of Texas.

(c) With the assistance of the department and in accordance with the Administrative Procedure and Texas Register Act, as amended (Article 6252-13a, Vernon's Texas Civil Statutes), the committee shall conduct hearings and keep records and minutes necessary to the orderly administration of this Act.

(d) The committee with the aid of the department shall investigate persons engaging in practices that violate the provisions of this Act.

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(e) A person who holds a license to practice speech-language pathology or audiology in this state is governed and controlled by the rules adopted by the committee and approved by the board of health.

(f) The conferral or enumeration of specific powers elsewhere in this Act shall not be construed as a limitation of the general powers conferred by this section.

(g) The committee shall be represented by the attorney general and the district and county attorneys of this state.

(h) The committee may appoint subcommittees to work under its jurisdiction, subject to the approval of the board.

SECTION 6. EMPLOYEES OF THE COMMITTEE. The Texas Department of Health shall provide such administrative and clerical employees as are necessary to carry out the provisions of this Act.

SECTION 7. SEAL AND AUTHENTICATION OF RECORDS. The committee shall adopt a seal by which it shall authenticate its proceedings. Copies of the proceedings, records, and acts of the committee and certificates purporting to relate the facts concerning the proceedings, records, and acts, signed by the secretary-treasurer and authenticated by the seal, are prima facie evidence in all courts of this state.

SECTION 8. LICENSING AND REGULATION OF SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS. (a) Licenses shall be granted either in speech-language pathology or audiology independently. Persons may be licensed in both areas if they meet the qualifications.

(b) A person may not practice or represent himself or herself as a speech-language pathologist or audiologist in this state after August 31, 1984, unless he or she is licensed in accordance with the provisions of this Act.

(c) Any violation of this subsection shall constitute a deceptive trade practice.

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SECTION 9. PERSONS AND PRACTICES NOT AFFECTED. (a) This Act does not prevent qualified persons licensed in this state under another law from engaging in the profession for which they are licensed.

(b) This Act does not prevent or restrict the activities and services and the use of an official title by persons holding a valid and current certification in speech and hearing therapy from the Central Education Agency if those persons perform speech-language pathology or audiology services solely as a part of their duties within an agency, institution, or organization under the jurisdiction of the Central Education Agency. If persons affected by this subsection perform work as a speech-language pathologist or audiologist apart from their positions within an agency, institution, or organization of the Central Education Agency, they must have a license issued by the committee, except that a person affected by this subsection may perform speech and hearing screening procedures without compensation without having a license issued by the committee.

(c) This Act does not restrict the activities and services of students or interns pursuing a course of study leading to a degree in speech-language pathology at a college or university accredited by the Southern Association of Colleges and Universities or its equivalent, provided that these activities and services constitute a part of their supervised course of study or internship year; that after September 1, 1984, they are supervised by a person licensed under this Act; and that they are designated by a title such as "Speech-Language Pathology Intern" or "Speech-Language Pathology Trainee" or other title clearly indicating the training status appropriate to their level of training.

(d) This Act does not restrict activities and services of students or interns in audiology pursuing a course of study leading to a degree in audiology at a college or university accredited by the Southern Association of Colleges and Universities or its

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equivalent, provided that these activities and services constitute a part of their supervised course of study or internship year; that after September 1, 1984, they are supervised by a person licensed under this Act; and that they are designated by a title such as "Audiology Intern" or "Audiology Trainee" or other title clearly indicating the training status appropriate to their level of training.

(e) This Act does not restrict the performance of speech-language pathology or audiology services in this state by a person not a resident of this state who is not licensed under this Act, if the services are performed for no more than five days in a calendar year and if the person meets the qualifications and requirements for application for licensure under this Act.

(f) This Act does not restrict the use of an official title by an individual teaching in a university or college training program, provided that the person is not engaged in the practice of speech-language pathology or audiology and does not supervise persons engaged in the practice of speech-language pathology or audiology.

(g) This Act does not permit a person to perform an act that would be in violation of the Medical Practice Act (Article 4495b, Vernon's Texas Civil Statutes). This Act does not permit a person to provide medical or surgical diagnosis or treatment of laryngeal or ear disorders.

(h) Nothing in this Act shall be construed as restricting or preventing a physician or surgeon from engaging in the practice of medicine in this state. This Act does not restrict speech or hearing testing or evaluation conducted by a licensed physician or surgeon.

(i) This Act does not apply to persons employed by the Texas Department of Health in its programs concerned with hearing or speech services as long as they are performing duties under the jurisdiction of the Texas Department of Health.

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(j) This Act does not apply to a person who shows evidence of having received training by the Texas Department of Health in one of the hearing screening training programs approved by that agency, provided that all activities performed under this exception shall be limited to screening of hearing sensitivity.

(k) This Act does not license a person to sell hearing aids as defined in Chapter 366, Acts of the 61st Legislature, Regular Session, 1969, as amended (Article 4566-1.01 et seq., Vernon's Texas Civil Statutes).

(l) This Act does not prevent or restrict a person licensed by the Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids from engaging in the practice of fitting and dispensing hearing aids.

(m) This Act does not prevent persons in an industrial setting from engaging in hearing testing as a part of a hearing conservation program in compliance with regulations of the Occupational Safety and Health Administration, provided that such persons are certified by an agency acceptable to the Occupational Safety and Health Administration.

(n) This Act does not prevent or restrict speech or hearing sensitivity screening evaluations conducted by registered nurses licensed by the laws of this state and practicing in accordance with the standards of professional conduct and ethics promulgated by the rules and regulations of the Board of Nurse Examiners.

(o) This Act does not prevent the use of the title "Certified Hearing Aid Audiologist" by a person so certified by the National Hearing Aid Association if the person is a licensed hearing aid dispenser and uses the title solely in connection with fitting and dispensing hearing aids and does not represent himself to be a licensed audiologist under this Act.

(p) Nothing in this Act shall be construed as restricting or preventing a licensed psychologist from engaging in the practice of psychology within the scope of the activities permitted under that license.

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SECTION 10. QUALIFICATION OF APPLICANTS FOR LICENSE. To be eligible for licensing as a speech-language pathologist or audiologist, an applicant must:

(1) possess at least a master's degree with a major in speech-language pathology or audiology from an accredited or approved college or university;

(2) submit transcripts from one or more colleges or universities showing successful completion of course work in amounts set by the committee with the approval of the board in the following areas:

(A) information about normal development and use of speech, language, and hearing;

(B) information about evaluation, habilitation, and rehabilitation of speech, language, and hearing disorders; and

(C) information pertaining to related fields that augment the work of clinical practitioners of speech-language pathology and audiology;

(3) have successfully completed at least 30 semester hours in courses that are acceptable toward a graduate degree by the college or university in which they are taken, at least 21 of which are within the professional area for which the license is requested and at least six of which are in audiology for the applicant for a speech-language pathology license or in speech-language pathology for the applicant for a license in audiology;

(4) have completed a minimum of 300 clock hours of supervised clinical experience with individuals who present a variety of communication disorders, and this experience must have been obtained within his or her training institution or in one of its cooperating programs and under the supervision of a person holding a valid license to practice speech-language pathology or audiology, provided during the first year of this Act, the supervision may be under a person who would have met the qualifications for a license under this Act; and

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(5) have obtained the equivalent of nine months of full-time supervised professional experience in which bona fide clinical work has been accomplished in the major professional area for which the license is being sought, under the supervision of a qualified person acceptable to the committee pursuant to guidelines approved by the board which experience must have begun after completion of the academic and clinical experience required by this section.

SECTION 11. APPLICATION FOR LICENSE. Each person desiring a license under this Act shall make application to the committee on a form and in the manner the committee prescribes. The application shall be accompanied by the application fee which may not be refunded by the committee.

SECTION 12. EXAMINATION. (a) Each applicant shall be examined by the committee and shall pay to the committee, at least 30 days prior to the date of examination, a nonrefundable examination fee prescribed by the committee. The examination shall be given at least twice each year at a time and place established by and under the supervision of the committee.

(b) The committee may examine by written or oral examination or by both. The committee shall maintain a record of all examination scores for at least two years after the date of examination.

(c) Standards for acceptable performance shall be determined by the committee.

(d) The committee may examine in whatever theoretical or applied fields of speech-language pathology or audiology it deems appropriate. It may examine the candidates with regard to their professional skills and their judgment in the utilization of speech-language pathology or audiology techniques or methods.

(e) Persons who fail the examination may be examined at a subsequent time if they pay another nonrefundable examination fee. No applicant who has taken and failed to pass two examinations may take the examination until the person has submitted a new

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application together with a nonrefundable application fee and presented evidence to the committee of additional study in the area for which licensure is sought.

(f) The committee may waive the examination for applicants who:

(1) present proof of current licensure in another state, including the District of Columbia, or territory of the United States which maintains professional standards considered by the committee to be equivalent to those set forth in this Act; or

(2) hold the Certificate of Clinical Competence of the American Speech-Language Hearing Association in the area for which a license is being sought.

SECTION 13. LICENSING UNDER SPECIAL CONDITIONS. (a) The committee on request must waive educational, professional experience, and examination requirements for licensure in speech-language pathology for applicants who hold a baccalaureate or graduate degree, are fully certified by the Central Education Agency in speech and hearing therapy or in the judgment of the committee have met equivalent requirements, and within two years prior to the effective date of this Act were engaged in the practice of speech pathology on proof of bona fide practice of speech pathology, presented to the committee in the manner prescribed by the committee's rules, provided they file an application for licensure with the committee or the board of health before August 31, 1984. Such licenses shall be issued without delay and shall be renewed in the same manner as licenses granted under other provisions of this Act.

(b) The committee on request shall waive educational, professional experience, and examination requirements for licensure in audiology for applicants who on the effective date of this Act hold a baccalaureate or graduate degree and have successfully completed 21 semester hours of course work in audiology, and are engaged in the practice of audiology on proof of bona fide practice

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of audiology presented to the committee in the manner prescribed by the committee's rules, provided they file an application for licensure with the committee or the department within 90 days from the effective date of this Act.

(c) The committee may waive the examination and grant licensure to an applicant who presents proof of current licensure in another state, including the District of Columbia, or territory of the United States which maintains professional standards considered by the committee to be equivalent to those set forth in this Act.

(d) The committee may waive the examination and grant licensure to an applicant who holds the Certificate of Clinical Competence of the American Speech-Language Hearing Association or has met equivalent requirements in the area for which a license is sought.

SECTION 14. ISSUANCE OF LICENSE. (a) The committee shall issue a license to an applicant who meets the requirements of this Act and who pays to the committee the initial nonrefundable license fee.

(b) A temporary certificate of registration may be applied for by a person who fulfills the requirements of Section 10 of this Act and who has not previously applied to take the examination provided under Section 12 of this Act.

(c) On receiving an application provided for under Subsection (b) of this section accompanied by the nonrefundable application fee, the committee shall issue a temporary certificate of registration which entitles the applicant to practice audiology or speech-language pathology for a period ending eight weeks after the conclusion of the next examination given after the date of issue.

(d) All licenses expire and become invalid one year from the date of issuance if not renewed.

SECTION 15. RENEWAL OF LICENSE. (a) Each licensed speech-language pathologist or audiologist shall annually pay the

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nonrefundable renewal fee for a renewal of his license. A 60-day grace period shall be allowed. After expiration of the grace period, the committee may renew each license after payment of a penalty set by the rules. No person who applies for renewal within two years after the date of expiration of the license may be required to submit to an examination as a condition to renewal.

(b) Persons who fail to renew their license within two years after the date of its expiration may not renew it, and it may not be restored, reissued, or reinstated thereafter, but those persons may apply for and obtain a new license if they meet the requirements of this Act.

(c) Within three years of the effective date of this Act, renewal of a license is contingent on the applicant's meeting uniform continuing education requirements established by the committee. These continuing education requirements must be of such a nature that they can be met without necessitating an extended absence from the licensee's county of residence. Notice of continuing education requirements shall be sent to all persons licensed under this Act at least 12 months prior to the time that the person's license renewal is dependent on completion of the requirements. Continuing education requirements shall be sent to new applicants with the forms on which they are to apply for licensure. Notification or changes in continuing education requirements shall be sent to persons licensed under this Act at least one year prior to the date on which the new requirements become effective.

(d) A suspended license is subject to expiration and may be renewed as provided in this Act, but the renewal does not entitle the licensee, while the license remains suspended and until it is reinstated, to engage in the licensed activity or in any other activity or conduct in violation of the order or judgment by which the license was suspended. A license revoked on disciplinary grounds is subject to expiration as provided in this Act, but it

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may not be renewed. If it is reinstated after its expiration, the licensee as a condition of reinstatement shall pay a reinstatement fee in an amount equal to the renewal fee in effect on the last preceding regular renewal date before the date on which it is reinstated, plus the delinquency fee, if any, accrued at the time of the license revocation.

SECTION 16. FEES. The amount of fees initially prescribed in connection with a license as a speech-language pathologist or audiologist may not exceed the following:

- (1) application fee: \$75
- (2) examination fee: \$50
- (3) initial license fee: \$75
- (4) license renewal fee: \$75
- (5) delinquency fee: \$50
- (6) temporary license fee: \$25
- (7) duplicate license fee: \$10

The committee by rule shall establish fees, and such fees shall be adjusted so that the total fees collected shall be sufficient to meet the expenses of administering this Act and so that unnecessary surpluses in the fund provided for in Section 20 of this Act are avoided.

SECTION 17 DENIAL, SUSPENSION, AND REVOCATION. (a) The committee may refuse to issue a license to an applicant or may suspend or revoke the license of any licensee for any of the following causes:

- (1) obtaining a license by means of fraud, misrepresentation, or concealment of material facts;
- (2) selling, bartering, or offering to sell or barter a license or certificate of registration;
- (3) unprofessional conduct that has endangered or is likely to endanger the health, welfare, or safety of the public as defined by the rules established by the committee or violation of the code of ethics adopted and published by the committee;

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(4) violating any lawful order or rule rendered or adopted by the committee; or

(5) violating any provisions of this Act.

(b) The committee shall deny an application for or suspend or revoke or impose probationary conditions on a license as ordered by the committee in any decision made after hearing as provided in this Act. One year from the date of revocation of a license under this Act, application may be made to the committee for reinstatement. The committee shall have discretion to accept or reject an application for reinstatement and may require an examination for the reinstatement.

(c) A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge of a felony or of an offense involving moral turpitude is deemed to be a conviction within the meaning of this Act. At the direction of the committee the license may be suspended or revoked or the committee may decline to issue a license when the time for appeal of the conviction has elapsed or the judgment or conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence irrespective of a subsequent order allowing a person to withdraw his or her plea of guilty, or setting aside the verdict of guilty, or dismissing the information or indictment.

SECTION 18. PENALTIES. (a) A person who violates any of the provisions of this Act is guilty of a Class B misdemeanor and on conviction may be punished by confinement in the county jail not exceeding six months, by a fine not exceeding \$1,000, or by both.

(b) If a person other than a licensed speech-language pathologist or audiologist has engaged in any act or practice which constitutes an offense under this Act, a district court of any county on application of the committee may issue an injunction or other appropriate order restraining such conduct.

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SECTION 19. PROCEDURES FOR DENIAL, REVOCATION, OR SUSPENSION OF A LICENSE. (a) A person whose application for a license is denied is entitled to a hearing before the committee if such person submits a written request to the committee.

(b) Proceedings for revocation or suspension of a license shall be commenced by filing charges with the committee in writing and under oath. The charges may be made by any person or persons.

(c) The chairperson of the committee shall fix a time and place for a hearing and shall cause a written copy of the charges or reason for denial of a license, together with a notice of the time and place fixed for the hearing, to be served on the applicant requesting the hearing or the licensee against whom the charges have been filed at least 20 days prior to the date set for the hearing. Service of charges and notice of hearing may be given by certified mail to the last known address of the licensee or applicant.

(d) At the hearing the applicant or licensee has the right to appear either personally or by counsel or both, to produce witnesses, to have subpoenas issued by the committee, and to cross-examine opposing or adverse witnesses.

(e) The committee shall determine the charges on their merits and enter an order in a permanent record setting forth the findings of fact and law and the action taken. A copy of the order of the committee shall be mailed to the applicant or licensee at his or her last known address by certified mail.

(f) An individual whose application for a license has been refused or whose license has been cancelled, revoked, or suspended by the committee may take an appeal, within 20 days after the order is entered, to any district court of Travis County or to any district court of the county of his or her residence.

(g) In all appeals prosecuted in any of the courts of this state pursuant to the provisions of this Act, such trials shall be de novo as that term is used and understood in appeals from justice

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of the peace courts. Under no circumstances shall the substantial evidence rule as interpreted and applied by the courts in Texas in other cases ever be used or applied to appeals prosecuted under the provisions of this Act.

(h) All proceedings under this Act shall conform to the requirements of the Administrative Procedure and Texas Register Act, as amended (Article 6252-13g, Vernon's Texas Civil Statutes), except as modified by this section.

SECTION 20. DISPOSITION OF FUNDS RECEIVED. (a) All funds received by the committee under this Act shall be deposited in accordance with applicable state law in the State Treasury in a separate fund to be known as the speech-language pathology and audiology fund and be appropriated to the Texas Department of Health solely for administration of this Act.

(b) After August 31, 1984, all expenses for the administration of the Act shall be paid from fees collected by the committee under this Act.

(c) There is hereby appropriated \$80,000 to the speech-language pathology and audiology fund for the implementation of this Act, said funds coming from the General Revenue Fund for the first year provided that the first \$80,000 of application and license fees shall be returned to the General Revenue Fund as they are received.

SECTION 21. EXEMPTIONS FROM THE BASIC SCIENCE LAW. The provisions of Chapter 95, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 4590c, Vernon's Texas Civil Statutes), do not apply to audiologists or speech-language pathologists duly qualified and licensed under this Act who confine their activity to the areas specified in this Act.

SECTION 22. SUNSET PROVISION. Unless reenacted, the provisions of this Act shall be without effect after August 31, 1993.

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Ch. 381

68th LEGISLATURE—REGULAR SESSION

SECTION 23. EFFECTIVE DATE. This Act is effective September 1, 1983.

SECTION 24. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended

Passed the Senate on May 9, 1983, by a viva-voce vote; passed subject to the provisions of Article III, Section 49a of the Constitution of Texas; passed the House on May 28, 1983, by a non-record vote, passed subject to the provisions of Article III, Section 49a of the Constitution of Texas.

Approved June 17, 1983.

Effective Sept. 1, 1983.

**SEXUAL OFFENSES—EVIDENCE—UNCORROBORATED
TESTIMONY—CHILDREN AND MINORS**

CHAPTER 382

S. B. No. 838

AN ACT

relating to conviction of a sexual offense on the testimony of a child; amending Article 38.07, Code of Criminal Procedure, 1965.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 38.07, Code of Criminal Procedure, 1965, is amended⁵⁷ to read as follows:

"Article 38.07. TESTIMONY .IN CORROBORATION OF VICTIM OF SEXUAL OFFENSE. A conviction under Chapter 21, Penal Code, is supportable on the uncorroborated testimony of the victim of the sexual offense if the victim informed any person, other than the defendant, of the alleged offense within six months after the date on which the offense is alleged to have occurred. The requirement that the victim inform another person of an alleged offense does

57. Vernon's Ann.C.C.P. art. 38.07.

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